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ABSTRACT

As Mexico's first viceroy, Antonio de Mendoza's most noteworthy achievement was his laying the basis of colonial government in New Spain which continued, with modifications, for 300 years. Although he was lenient in dealing with the shortcomings of his Indian and Spanish subjects, he took a firm stand in dealing with the rebellious Indians in the Mixton War and the Cortes faction which threatened the Viceregal rule. His primary concern was to keep New Spain for the crown while protecting the Indians from want and inhumanity. Focusing on the institutions he founded and developed, this booklet provides a study of early Spanish colonial institutions. Although the biographical account is of secondary importance, the description of Hispanic colonial institutions are valuable in presenting the Spaniards' colonization after the conquest. Practical application of the material at both the elementary and secondary levels can be utilized in stimulating student discussions and debates on the merits and demerits of 2 colonial powers--the English and the Spaniards. A brief select bibliography is included to provide additional resources and a list of audiovisual aids which are of a general nature and provide broad vistas of the institutions initiated during Antonio de Mendoza's administration. (Author/NQ)

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FIRST VICEROY OF MEXICO

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HUBERT J. MILLER

The Tinker Pamphlet Series
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To the teachers
of the Mexican American Heritage

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GLOSSARY

Alcalde—Town mayor or a justice of the peace.

Alcalde mayor—Governor of a district, similar to *corregidor* and *gobernador*.

Audiencia—Highest court in the Kingdom of New Spain; also took on certain administrative functions.

Ayuntamiento—Municipal council; another term for *cabildo*.

Cabildo—Municipal council.

Corregidor—Royal official appointed to govern a province.

Cortes—Parliamentary bodies in Spain.

Creole—A Spaniard born in the New World.

Ducado—The Spanish ducat or *peso* was worth 8 *reales*. The *peso* was considered an excellent daily wage, which could buy 200 pounds of beans, or two or three turkeys or five dozen eggs or 100 pounds of corn.

Encomienda—Grant of authority over Indians; carried obligation to Christianize and protect them as well as the right to collect tribute and demand Indian services.

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Oidor — Judge in the *audiencia*.

Patronato real — Right of nominating men to fill ecclesiastical offices.

Peninsular — A Spaniard born in Spain.

Real hacienda — Royal treasury.

Regidor — Councilman or a member of a *cabildo*.

Repartimiento — A division of Indian laborers for a particular project.

Residencia — Trial of civil officials at conclusion of term of office.

Visita — Inspection.

Visitador — Inspector.

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TO THE TEACHER

The story of Antonio de Mendoza, the first viceroy of Mexico, is not so much a biographical account as it is a study of early Spanish colonial institutions. The gaps in the viceroy's life make it difficult to tell a more complete story. The focus of the booklet is on the institutions he founded and developed. They serve as lasting monuments to his work, but they overshadow the personal traits of our subject. Unfortunately the real Mendoza still remains shrouded in mystery.

Although the biographical account is of secondary importance, the teacher will find the description of Hispanic colonial institutions valuable in presenting the colonization work of the Spaniards after the conquest. The flamboyant behavior of the *conquistadores* has attracted most of the attention, but little attention is usually placed on Hispanic colonial institutions. Thus the period between the conquest and the independence movement in Mexico tends to be a vast dark age of three hundred years. A truer historical perspective enables us to see that the long range legacy left by three hundred years of Spanish colonization is more significant than the few short years that constitute the conquest epoch. Both Mexicans and Mexican Americans are the heirs of this long colonization process.

The story of the first viceroy's work can be utilized profitably in presenting the work of European colonial powers in the New World, especially the English and the Spaniards. A presentation that compares and contrasts English and Hispanic colonial institutions can offer significant insights for students studying the European heritage in Mexico, the Southwest and the United States. The teacher should note in

particular the dates of the origin of Hispanic colonial institutions which antedate similar English institutions. Another significant area of contrast is the Spanish interest in developing the cultural life of the colonies as evidenced by the founding of schools. Although schools were established in the English colonies, apparently they never merited the royal support as did those of New Spain or Mexico. Most striking is Spain's concern with developing policies and institutions for the good treatment of the Indians. One can never lose sight of the fact that the Indians were an indispensable part of Spanish colonial policies and institutions. This never was characteristic of English colonial policy. The fact that the Indians and their culture constituted an essential ingredient in Hispanic colonial government provides further insights into the merging of Hispanic and Indian heritages. This *mestizo* evolution contributes to the understanding of the Mexican and Mexican American past.

Practical application of the material in the manual can be utilized in stimulating student discussions and debates on the merits and demerits of the two colonial powers. Hopefully, it can also provide the teacher with convenient information to supplement audio-visual aids in treating the New World colonization. Finally, the teacher will note the many present day political, economic, social, cultural and religious institutions which are familiar to the students in the Southwest and have their beginning during the time of Mendoza. Such practical applications can prove valuable both on the elementary and secondary levels. The effectiveness of the manual, like all teaching tools, depends upon the creativity of the teacher.

The brief select bibliography at the end of the booklet provides the teacher with additional resources when greater detail is desired. Unfortunately, Mendoza like many subsequent viceroys, merited few biographers both in Mexico and the United States. The failure to study the viceregal

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regimes shows a lack of interest in Hispanic colonial history between the conquest and the independence movement. Fortunately, twentieth century scholars both here and in Mexico are trying to rectify the omission. The only full scale English biography on the viceroy is done by Arthur Scott Aiton. James Magner's *Men of Mexico* provides a single chapter sketch of the first viceroy. Other more general and valuable works treating Hispanic colonization are: Charles Gibson, *Spain in America* and *The Aztecs under Spanish Rule: a History of the Indians of the Valley of Mexico 1519-1810*; Lilian E. Fisher, *Viceregal Administration in the Spanish American Colonies*; and Clarence H. Haring, *The Spanish Empire in America*. An indispensable work is Lesley Byrd Simpson's *The Encomienda in New Spain: the Beginning of Spanish Mexico*, which treats the problem of Indian labor during and after the Mendoza period. Invaluable but not available in English is *Introducción al estudio de los virreyes de Nueva España, 1535-1746* by Jorge Ignacio Rubio Mañé. The Mexican scholar traces the origins of colonial political institutions to medieval Spain. He succinctly portrays governmental agencies and provides social background information on Mendoza. The Spaniards' experience during the conquest era of the Moslems (800-1492) provides a very meaningful lesson for Spain's conquests and colonization in America.

The biblography also includes a list of audio-visual aids. These are of a general nature and go beyond the time span of the viceroyalty of Mendoza. They provide broad vistas of the institutions that were initiated during the administration of the first viceroy.

The author is greatly indebted to the Tinker Foundation in New York for making this teaching tool possible. Not only did the Foundation provide for the time to write the booklet, but it also underwrote the costs of publication. The project hopefully will in some small measure fufill the aspirations of Dr. Edward

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Larocque Tinker, who was ever conscious of the need for building bridges between the people of the Latin and Anglo heritages. Further words of gratitude are in order for student assistants at St. Mary's University in San Antonio, whose typing and research aid facilitated the completion of the pamphlet. A special note of thanks is extended to Dr. Conrad Kaczkowski, Chairman of the History Department at St. Mary's University in San Antonio, who graciously placed the departmental services at the author's disposal. Last but not least, special appreciation is in order for my wife, Doris, through whose patience and solicitude many of the burdens of seeing the project to its completion were greatly relieved.

Hubert J. Miller

Pan American University
December, 1972

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INTRODUCTION

The word viceroy means the personal representative of the crown appointed by the king to govern a territory. Literally defined the word has the force of a vice-king, a person who governs in the name of the king and to whom is due the honor and obedience that normally is reserved for a monarch. A viceroy in the Spanish imperial system compared favorably to the royal governor in the English colonies of North America.

The importance and power of the office required men of exceptional ability and trust. Remoteness of the Spanish overseas territories necessitated an undivided loyalty to the crown. Spain under Charles I was frequently involved in European dynastic and religious wars following the Protestant Reformation in 1517. The king could not adequately focus attention on his rapidly expanding empire in the New World. Therefore, it was imperative for the crown to appoint overseas officials who had demonstrated loyalty and administrative ability. In the selection of Antonio de Mendoza as the first viceroy of Mexico or New Spain as it was called during the colonial times, Charles I could hardly have made a more appropriate appointment.

Care in the selection of trusted and competent administrators resulted in New Spain's being governed by viceroys of exceptional talent. Mendoza was the first of a number of highly qualified governors. Subsequent examples are Luis de Velasco (1550-1564) and his son by the same name (1590-1595 and 1607-1611), Juan de Acuña (1722-1734) and the Second Count Revillagigedo (1789-1794). However, among the sixty-two viceroys that governed New Spain during the three hundred year colonial interval, there were unfortunate selections of men who proved to be corrupt and incompetent. The appointments reflect inept monarchial leadership. It was the good fortune of Charles I to have selected Mendoza since through the efforts of the first viceroy the basic foundation of colonial government in New Spain was well established.

MENDOZA FAMILY

The Mendoza family claimed a long and prestigious ancestral line. According to family tradition the family had its origin in Roman and Gothic Spain. Among the illustrious ancestors was Iñigo López de Mendoza, great-grandfather of Antonio, who had distinguished himself throughout Europe as a statesman, warrior, poet, and scholar. The family pointed with pride to its contribution in the wars of reconquest against the Moslems in Spain. Both the grandfather and the father of Antonio de Mendoza served brilliantly in campaigns against the Moors. In reward for his military service, the father received the post of *alcalde* of Alhambra. His tolerance and prudence in the administration of the conquered territory earned him respect among friends and foes alike. Luis Hurtado de Mendoza, the eldest brother of the viceroy, continued the prestigious family tradition as governor of the Kingdom of Granada and president of the Council of the Indies. Another brother, Diego, achieved fame as a writer and ambassador to England, Venice and Rome. The youngest brother, Francisco, was cardinal bishop of Jaén. Even the sister, María, not to be outdone by her brothers, gained recognition in literature and philosophy. Unfortunately, her fame was somewhat tarnished when her husband became involved in an uprising against the king. It remained for Antonio to enhance the family name—not in Spain or Europe but in the New World.

EARLY LIFE

Little is known of Mendoza's early life. He was the sixth of eight children born to Iñigo López de Mendoza and his second wife, Francisca, who lived near Granada. Much of his early education appears to have been devoted to training in knighthood. The fall of Granada and the driving of the Moslems out of the Iberian peninsula must have left vivid memories in the young child's mind. A good part of Antonio's early life was spent in the court of King Ferdinand. While at

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the royal court, he married Catalina de Vargas who bore him two sons, Iñigo and Francisco, and a daughter, Francisca. In 1516 he fell heir to a substantial part of his father's estate. At the age of thirty he aided his eldest brother, Luis Hurtado de Mendoza, in suppressing a civil uprising in 1520 against King Charles I. Ironically, the rebellion was headed by Juan de Padilla, the husband of his sister, María. The future viceroy's services merited a diplomatic post to Flanders and Hungary from 1526-28. Upon his return to Spain in 1529, he served as chief officer in the king's household. The position at the court coupled with his private business kept him occupied until his appointment as viceroy of New Spain in 1535.

The need for a viceroy in New Spain appears to have have been first discussed by the Council of the Indies in 1529, which functioned as the crown's advisory, legislative, administrative, and judicial tribunal for the American empire. In its day by day administrative details it was aided by the House of Trade. The council felt that a more centralized form of government was essential to New Spain. Rumored reports of Hernán Cortés' (*conquistador* of Mexico) intentions to set up an independent kingdom and the growing evidence of administrative inefficiency and chaos in New Spain lent support to the idea of establishing a more centralized administration under the command of a viceroy. Added to these considerations was King Charles' continuous involvement in European affairs which was leaving him little time for his newly acquired Indian territories.

There were historical precedents supporting the creation of a viceregal office. During medieval times the rulers of Aragon in northeastern Spain had appointed viceroys to govern their Mediterranean possessions such as Sicily. In the absence of the Aragonese king the viceroy of Sicily served as the deputy for the crown. The Sicilian viceroyalty was not cited in the recommendation of the Council of the Indies, but it is hard to imagine that the members of the council were unaware of the

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Aragonese viceroys. In the Iberian peninsula the term viceroy was popularly applied to the king's representative in Galicia, although it was not the official designation. Furthermore, Columbus carried the title of viceroy on his initial voyage to the New World, but apparently it was more of an honorary title. In view of these historical precedents the council was not entirely breaking new ground by recommending the creation of a viceregal post for New Spain.

In a protracted deliberation, a number of candidates were suggested for the position. One of the chief obstacles in convincing the candidates to accept the post was the inadequate salary. This may well have been a chief deterrent for Antonio de Mendoza who appeared reluctant in accepting the position. He finally accepted an annual salary of 8,000 *ducados* which was to be supplemented by Indian services and provisions for his household. It was a salary that provided a comfortable living and thus could remove the temptation of the viceroy to supplement his income from the royal treasury. Furthermore, Mendoza undoubtedly felt it necessary to put all of his personal business in order before he was ready to accept the overseas assignment. It was not until April 17, 1535, that the official appointment of the new viceroy was confirmed. A few months later Mendoza at the age of forty-five was on his way to take official command of the Kingdom of New Spain.

GOVERNMENTAL STRUCTURE IN NEW SPAIN

The Spanish crown in official proclamations traditionally referred to Spain and overseas colonies as "my kingdoms." The kingdoms in Spain were the products of the Reconquest, beginning in the ninth century and ending with the final defeat of the Moslems at Granada in January of 1492. Headed by feudal lords, the northern kingdoms of Aragon, Navarre, León and Castile, took the lead in the wars against the Moorish invaders. The number of kingdoms varied throughout the period but gradually all came under the powerful domination

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of Aragon and Castile. The union of these two kingdoms was assured when Ferdinand, who had married Isabella of Castile, ascended to the throne of Aragon in 1479. Joint rulership of Spain merged into one rule for all the Spanish kingdoms when young Charles I became king in 1516. This merging process lasting almost seven hundred years resulted in the birth of a national state.

Despite the evolution toward nationhood, the Iberian kingdoms continued to be jealous of their traditional rights and privileges. For example, the kingdoms continued to retain their parliaments or *cortes*, which, representing the nobility, clergy, and the citizens of the cities, discussed taxes and petitions to the throne. The power of the *cortes* varied from kingdom to kingdom with the most powerful parliament being in the kingdom of Aragon. Compared to a modern day setting this was tantamount to the struggle of states' rights versus central power. The support of a parliament could be decisive in determining the crown's ability to raise royal revenue in a given kingdom. It was imperative for the king to be very mobile since he frequently had to plead for his revenue before the *cortes*. This was especially true during the reign of Charles I, whose official residence changed frequently but less so under the powerful monarchy of Phillip II during the latter half of the sixteenth century. In order to make the royal voice more effective the crown appointed a representative to govern the kingdom during his absence. The appointee was usually designated as *justicia mayor*, but in the case of Galicia, the inhabitants referred to the official as a viceroy. It was this basic kingdom-structure that served as a model for the establishment of the New World-kingdoms with the significant exception that the crown did not permit the introduction of the *cortes*. The Spanish kings had learned their history lesson well. The Iberian parliaments represented a threat to royal authority and thus the future establishment of this type of institution in the remote regions of the New World

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was potentially even more threatening to royal power. A loyal and competent viceroy could serve the crown's interests better than a parliament, which could be tempted to place regional interests above emperial concerns.

Spain divided her New World possessions into two major kingdoms whose initial boundary lines were hazy due to inadequate geographical knowledge. The early Spanish explorers, who claimed all possessions washed by the Atlantic and Pacific Oceans, left much to the imagination when it came to defining the boundary lines. Thus, it does not seem suprising to read that the initial royal instruction addressed to the first viceroy of New Spain required him to report the territorial limits of his jurisdiction. The boundaries were defined to include all possessions north of the Isthmus of Panama, including Venezuela, the Caribbean Islands and later the Philippine Islands. The southern Kingdom of Lima included all Spanish claims south of the Isthmus. The term kingdom was also employed to designate subdivisions within the major kingdom, as was the case of the Kingdom of Guatemala within the Kingdom of New Spain.

Obviously, it was impossible for a viceroy living in Mexico City or Lima, Peru, to govern kingdoms with such geographic pretensions. It was necessary to divide the kingdoms into administrative districts headed by officials who could assist the viceroy in his government. The highest administrative agency next to the viceroy was the *audiencia*, which had already been established prior to the introduction of vicerегal government in New Spain in 1535.

The first *audiencia* in the New World was established in 1511 in Santo Domingo, Española, the present day Dominican Republic and Haiti. The Mexico City *audiencia* headed by Beltrán Nuño de Guzmán was instituted in 1527 to curb the political power of Hernán Cortés, who was elected governor of Mexico in 1519 by the *cabildo* of Vera Cruz. The Mexico City *audiencia* consisted of four justices, called *oidores*, and a president.

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The crown's appointment of Nuño de Guzmán as president of this body proved disappointing. As governor of Pánuco on the northeastern coast, he achieved notoriety in exploiting the Indians. Apparently, his principal qualification for the position was his undying hatred of Cortés. Much of the credit for exposing the ineptitude, corruption and chaotic state of affairs, under the presidency of Nuño de Guzmán must go to Fray Juan de Zumárraga, the first bishop and archbishop of Mexico. The bishop sent secret reports to the Council of the Indies which prompted that body in 1529 to recommend the appointment of Mendoza. The rising tide of criticism against Nuño de Guzmán's *audiencia* prompted the council to appoint a second *audiencia* to serve as an interim governing body until the newly appointed viceroy reached New Spain in 1535. The new body began its functions in 1531 under the presidency of Bishop Sebastián Ramírez de Fuenleal, formerly president of the *audiencia* in Santo Domingo. One of the *oidores*, Vasco de Quiroga, subsequently achieved much fame as bishop of Michoacán, where he developed Indian Christian communities. Bishop Ramírez de Fuenleal corrected many of the abuses of Nuño de Guzmán's government. At the same time he prevented Cortés and his faction from regaining any of their political power. This made the task of governing for Mendoza much easier when he arrived in 1535.

The *audiencia* like many other colonial institutions was Hispanic in origin. It served as an instrument of royal control in the newly conquered Moslem territories in Spain. A case in point was in the area of the administration of justice. Its judicial function would be roughly equivalent to our present day circuit court in that it was a court of appeals in the area of its jurisdiction. When the agency was transplanted to New Spain, any repeal of its judicial decisions was taken to the Council of the Indies and ultimately to the crown except in criminal cases where its decisions were final. In limited instances the *oidores* possessed original jurisdiction. The

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importance of the *audiencia* as a court of justice is evidenced by the fact that its members were called *oidores*, namely: "those who hear", or judges.

In addition to its judicial duties the body served as a mouthpiece for the crown. Only final decisions were subject to the crown's veto, hence it became, in effect, a legislative agency. In short the agency represented royal authority and automatically took over the duties of the viceroy when he died or was removed from office. The relationship of the *audiencia* to the viceroy was similar to that of the Council of the Indies to the king. Specifically, some of the functions included the protection of the Indians, enforcement of royal decrees, collection and administration of royal revenue, review of credentials of appointed civil and ecclesiastical officials, advising the viceroy or captain-general, inspection and censorship of books, administration of church taxes, endowments and construction of churches and review of papal documents whose publication the council had the power to prohibit. The *audiencia* shared many of its administrative duties with the viceroy.

Although subject to the viceroy, except in judicial matters, the agency could go directly to the crown. The viceroy and *audiencia* were expected to work in harmony for the interests of the kingdom and the king. All ordinances of the viceroy and the *oidores* became effective immediately but required ultimate royal confirmation. This was not true for lower political agencies, whose directives required viceregal approval before enforcement and ultimate royal sanction.

The jurisdiction of the first and second *audiencias* in Mexico included the central plateau of Mexico extending eastward to the gulf and westward to the Pacific. The seat of government was in Mexico City. Expansion of New Spain due to explorations and conquests led to the creation of new *audiencia* districts, such as the one in Guatemala in 1543 and the one in Guadalajara in 1548.These subordinate agencies,

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known as pretorial *audiencias* had presidents of their own but the ultimate governing power was vested in the viceroy of New Spain. The remoteness of the Guatemalan agency resulted in much local autonomy under a captain-general whose functions and powers were virtually those of a viceroy. The same held true for the Santo Domingo *audiencia* which theoretically was part of the kingdom of New Spain.

Each *audiencia* district was subdivided into small units over which presided *alcaldes mayores, corregidores* and governors. Initially these officials were appointed by the viceroy and the *audiencia* but later their appointments came directly from the crown. The local officials possessed judicial, administrative and to some degree legislative functions within their jurisdiction and each was subordinate to the viceroy and *audiencia*. The governor was frequently in charge of a sparsely inhabited frontier region where a firm hand was needed to preserve peace. For this reason he frequently carried the title of captain-general which added military powers to his extensive civil authority. This official was very characteristic of the Hispanic southwest in the United States during the seventeenth and eighteenth centuries. The remoteness of the area from viceregal authority tended to make the governor a little viceroy. The *alcalde mayor* and *corregidor* administered more heavily settled areas, which had well developed municipalities. In fact, the relationship of these officials to the municipal council or *cabildo* compared favorably to the relationship between the viceroy and the *audiencia*. The *corregidor* was normally in charge of Indian districts.

The functions of all these lesser administrators were very similar although their duties varied from region to region. They possessed judicial, administrative and to some extent legislative functions. The duties included the overseeing of tax collection, administration of royal revenue, hearing cases and taking remedial action when necessary, inspecting hospitals and markets, maintaining peace and order, pushing economic

development and keeping the viceroy informed of the general state of his jurisdiction. Of cardinal importance was the responsibility of the *corregidor*, charged with the protection of the Indians. In actual practice he frequently proved himself no better than a 19th century, corrupt United States Indian agent. It cannot be overemphasized that the remoteness of their districts frequently gave them more power than their subordinate level in the government indicated.

A discussion of Hispanic political institutions cannot be considered complete without a word or two about the town council known as a *cabildo* or *ayuntamiento*. Organized government in a newly claimed territory began with the formation of a *cabildo* as Hernán Cortés did at Vera Cruz in 1519. The municipal council was composed of officials called *alcalde* and *regidor*. The former served as judge for minor crimes and counselor. His position was more prestigious than that of the *regidores* or council men. The bodies varied in size, tending to be larger in the more important towns. The town councils were assisted by a number of special agents such as police chiefs, inspectors of weights, measures and hospitals, guardians of public property and collectors of fines. The *actas* or minutes of the *cabildo* indicate that the body carried out functions paralleling those of a modern day city council. Its tasks included policing, jailing and fining, sanitation, zoning, supervising of buildings, justice and tax collecting. It went beyond the functions of modern day municipal government in its training of municipal militia and fixing prices on commodities that were deemed essential to the welfare of the community.

Traditionally, the Spanish *cabildo* was viewed as representing the people of the community, but in actual practice both in Spain and the New World the ideal fell far short of the goal. During the early colonial period under Charles I (1517-1555), *regidores* were elected, but voting and office holding qualifications were based on property. In short,

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it was democracy for those citizens who counted. This facade was further removed after the reign of Charles I when municipal offices were auctioned off to the highest bidder. This practice and others led to much corruption and reminds one of the unhappy chapters of corruption in the history of New York, San Francisco and Chicago. In spite of these undemocratic tendencies, municipal governments did keep alive the tradition of representation. The fact remains that throughout the colonial period *cabildo* members were *creoles*, Spaniards born in the New World, who represented local interests. This was not true for the previously discussed higher administrative positions which were frequently held by *peninsulares*, Spaniards born in Spain. In these sensitive posts the crown's interests were of paramount importance. The *cabildo* became more representative when it arrived at important decisions in a *cabildo abierto*, an open town council meeting. This, for instance, was a common procedure during the early 1800's when many *cabildos* supported declarations of independence. Finally, the town council indicates the importance the Spaniard placed on municipal government. The prerequisite for settlement was the establishment of a town rather than the gradual development of towns after settlement. In his political thinking the Spaniard was urban oriented.

Obviously, the above treatise of Hispanic colonial government is very sketchy and does not do justice to an administrative system that was very complex. On all levels of the structure there were a host of lesser officials aiding their superiors in administrative and judicial responsibilities. The crown was not adverse to creating a bureaucracy. To make for greater complexity the king tended to give overlapping duties and powers to his appointed officers. It was the Spanish version of check and balance in protecting imperial interests. Jurisdictional disputes became the order of the day. An added check and balance was the *visita* and *residencia*. The *visita*

was an on the spot investigation by Spanish officials of the conduct of an office holder. The *residencia* was an official accounting of an office holder upon the completion of his term of office. A clean bill of health was required if the administrator desired to move upward. Bribes and other corrupt practices were not alien to the official who desired a clean bill of health.

An oversimplified sketch of the administrative structure *can easily lead to the conclusion of a highly authoritarian* system. Although monarchial paternalism was characteristic of the system, in actual practice the intent was frequently far from realized. First, the distance of the overseas kingdom and slow communication of colonial times undermined the authoritarian structure. To these obstacles must be added the vested interests of the nobility, clergy and merchant groups who could become even more powerful as they moved further away from royal control. Although chosen with care, Spanish officials did not always prove submissive to every royal wish and whim. In ignoring royal decrees an official could easily argue that a given royal edict was impractical and its implementation would result in much local strife. Justifying his behavior, an administrator could quickly fall back on the classic Spanish formula: "*Obedezco pero no cumplo*" ("I obey but do not enforce.") Obviously, under these circumstances there was more decentralization of power than meets the eye.

Little has been said concerning the position of the viceroy who was the kingpin in the kingdom. This part of the story can now be treated in terms of the coming of the first viceroy and his term of duty from 1535 to 1550.

THE COMING OF THE FIRST VICEROY

As noted earlier, the second *audiencia* served as an interim governing body until the arrival of Antonio de Mendoza in November of 1535. A glimpse of the crown's concept of the duties of the viceroy can be seen in the instructions that

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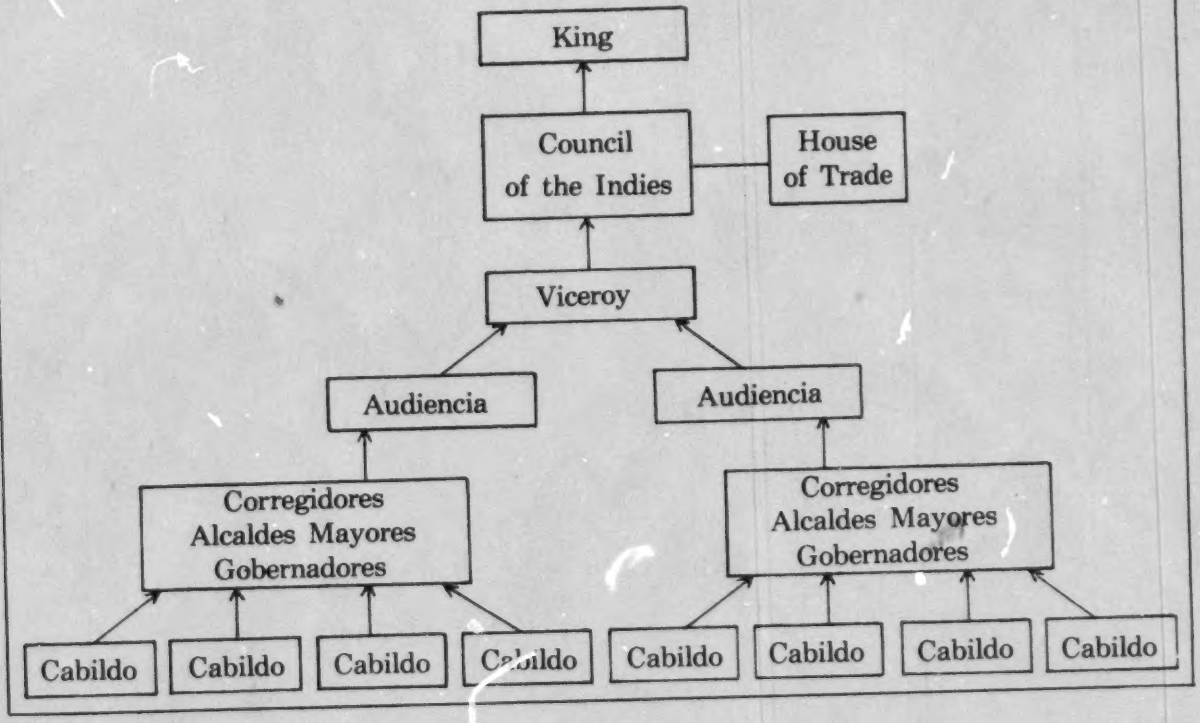
SPANISH COLONIAL ADMINISTRATIVE SYSTEM



Mendoza brought to New Spain. In ecclesiastical matters the viceroy had a voice in the appointment of ecclesiastical officials. This was known as the *patronato real* or the royal patronage. Under the title of "vice-patron" he was empowered to advise on the establishment of bishopries and the building of churches, return unworthy clegymen to Spain and aid the church in the conversion of the Indians. In carrying out his fiscal duties he was instructed to seek means of increasing the royal revenue, investigate the ability of the Indians to bear an increased tax burden, re-evaluate all tax exemptions granted and examine all financial accounts of royal officials. It was the viceroy's duty to oversee the development of industries such as agriculture and mining for the benefit of the local community and royal treasury. He was instructed to provide for the good treatment and social advancement of the Indians, and investigate Indian slavery and personal services and make recommendations to alleviate these conditions. He was charged with the duty of providing adequate military defenses for the kingdom. The instructions required that he make a visit throughout his kingdom and make a general state of affairs report to the crown. In his position as head of the political structure he had the power to delay enforcement of unpopular royal edicts which might cause grave unrest in the kingdom. He could enact laws and advise the Council of the Indies. He was given power of appointing administrative officials and Indian rulers within the area of Mexico City. He also enjoyed the power of granting Indian services to Spanish settlers. His confirmation was required for ordinances of the Mexico City *cabildo*.

The instructions contained no provision regarding the period of appointment. This all important matter was obviously left up to the discretion of the crown. It could serve as a further check on the viceroy in case he took too much power in his hands. In fact the period of service was never explicitly spelled out except after the middle of the 17th

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century when viceroys tended to hold office for three years more or less at the discretion of the crown.

These extensive powers plus the fact that the king's representative was far removed from Spain could lead to a one-man rule. It must be recalled that the viceroy could be checked by the *audiencia* with its power of directly communicating with the crown. Furthermore, the viceroy like all officials faced the threat of a *visita* or *residencia*, which, as will be treated later, took place while Mendoza was in office. Finally, the new viceroy was not a power hungry administrator. According to Arthur Scott Aiton, Mendoza's biographer, he was a cautious administrator who believed in gradual changes. The viceroy firmly subscribed to the principle that the secret of good government was to do little and to do it slowly. On the other hand, he was not adverse to taking firm and drastic action when circumstances required it as was his conduct in the suppression of the Indian rebellion in the Mixton War shortly after his arrival. One historian described the rule of Mendoza as follows:

> Loyalty to the crown and devotion to the church formed the basis of it; firmness and resolution stand out in everything he did. Like the emperor he made it a rule to listen to the advice of many different counsellors, but to reserve to himself the final decision, and he showed the Spanish training and traditions when he told his successor that the secret of good ruling was to do little, and to do that slowly, since most matters lead themselves to that kind of treatment...Nor were the gentler virtues lacking; there were countless instances of his generosity, liberality, and boundless hospitality.[1]

On April 17, 1535, Antonio de Mendoza was officially nominated viceroy of New Spain. He left Spain in July of the same year and arrived in Santiago, Cuba, on August 26. On September 8, he continued his trip to Vera Cruz, Mexico, where he arrived during the closing days of the same month. Word of the viceroy's appointment was not received in Mexico until August. The passage from Vera Cruz to Mexico City occasioned many *fiestas* in the towns through which he

[1] Charles Edward Chapman, *Colonial Hispanic America: A History* (New York: The MacMillan Co., 1933), p. 138.

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passed. In Mexico City he was officially received by four members of the *cabildo*. The reception included a religious *Te Deum* service and the viceroy's entry of the city through an arch of triumph. The solemn entry date was designated as November 14 followed by a luncheon in the *cabildo* house and a *fiesta* in the major plaza. These ceremonies, although simple but precedent setting, became very elaborate, festive events for subsequent receptions of newly appointed viceroys.

All the festivities did not prevent Mendoza from getting down to business immediately. On the day following his entry into the capital he had a meeting with the *cabildo* and other governing bodies, seeking information on the state of affairs in the kingdom. With his arrival the second *audiencia* concluded its interim administration and was replaced by a new one consisting of Francisco de Loaysa, Alonso de Tejada, Gómez de Santillán and Antonio Rodríguez Quesada. The viceroy served as president of the *audiencia*. The flourish of activities during these early days was a strong indication that viceregal government had begun.

In keeping with the office of "vice-king" and the aristocratic background of the Mendoza family, the viceroy lived an appropriate life style. His quick accomodation to life in New Spain was undoubtedly aided by his upbringing in the frontier area of Granada, Spain.

On his arrival in Vera Cruz he was accompanied by his sister, María, and a lady by the name of Leonor Beltrán. His wife, Catalina, was deceased. His son, Francisco, joined him in 1542. The viceregal household in Mexico City included sixty Indian servants and a bodyguard of thirty to forty men who accompanied him whenever he left the city. His ranches, which he received from the crown, provided him with a substantial income to support his growing household and aristocratic life style. This type of life increased the prestige of viceregal authority and was a fair warning to all citizens of New Spain, Indians and Spaniards alike, that in the person of Antonio de Mendoza they were dealing with royal authority.

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THE VICEROY AND THE ROYAL TREASURY

Royal edicts and communications contained frequent references calling for the guarding and increasing of royal revenue. In fact, increase in royal revenue became a criteria for judging the success of an administrator. Charles I in his continuous wars in Europe rapidly depleted financial resources in the mother country and the overseas kingdoms could provide a new income source, especially if the continuing reports of vast riches of the Indies materialized. If the crown could obtain the needed revenue from the New World kingdoms, he would be less dependent on the kingdoms of Spain. Since these parliaments, or *cortes*, were not always sympathetic to crown foreign policy and expenditures, they could withhold approval of raising royal revenue within their jurisdictions. The New World could prove to be a windfall to Charles I's rule as the Holy Roman Catholic Emperor of Europe.

The colonial possessions were viewed by the crown as personal property and therefore designated "my kingdoms." The income from the possessions was considered personal property of the crown and called the *real hacienda* , literally translated the "royal estate." The term included promotion, collection and expenditure of the king's revenue. The continued concern of the crown to increase its income frequently ran counter to the best interests of the Indians. The Spanish government was caught in the dilemma of protecting the rights of the Indians and insisting that they be revenue producing subjects. The discovery of a happy medium in this dilemma was bound to test the administrative ability of the first viceroy.

The instructions to the viceroy, as already noted, placed much stress on the obligation to oversee the royal treasury. In this function he was assisted by a clerical staff that kept a record of the collection and expenditure of royal money. Salaries of these officials were very attractive and indicated

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the importance of their positions. High salaries made it less attractive to dip into the royal treasury to supplement their income. As Mendoza became more familiar with his kingdom through his periodic inspection tours, he devised a more efficient accounting and collection system. To the regularly demanded tribute he added custom duties, fines, license fees and gifts to the crown The most significant revenue came from the mines, where the monarch's share ranged from one-fifth to one-tenth. The crown's due was collected at the smelting house in Mexico City known as the *casa de fundición.* In spite of Mendoza's efforts at efficient collection, much silver and gold were pocketed by miners and never reached the capital. The over-all colonial balance sheet shows that in the long run agriculture produced more revenue than gold or silver—a fact that the Indians had known all along. In summation the main sources of income were derived from mining, Indian tributes, custom duties, judicial fines and confiscations, donations to the crown and income from estates held in trust upon the death of the owner. To this basic list the crown continuously sought to add new tax means. Obviously, the amount of royal revenue was dependent on the productivity in New Spain, which rested on Indian labor.

THE VICEROY AND INDIAN LABOR

When Cortés arrived in Mexico in 1519, he found settled Indian civilizations. Although these became obstacles in his conquest, they proved to be advantageous for colonization. With the downfall of the Aztec confederation the settled Indians offered a convenient labor supply. For the Indian peasant it merely meant a change of masters with probably very little improvement of his lot. The ready Indian labor supply contrasts sharply with the Indians of eastern North America. Their nomadic life was not well suited for the labor needs of the English colonizers. Thus, while the Spaniards in Mexico were able to build an economic system on Indian labor,

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the English settler became dependent on increased immigration from Europe and African slavery for his labor supply. Spanish immigration to New Spain did not meet the labor needs in spite of the fact that in the early colonial period the crown and his viceroys encouraged immigration. Spain simply did not have the population resources for colonizing her growing overseas empire. In a few instances, the monarchy granted permission to non-Spaniards to undertake colonization projects in the New World, but this never became an established crown policy. It was feared that non-Spanish subjects might not prove to be loyal citizens.

Mendoza, like Cortés, desired to preserve the Indian class structure, which in many respects resembled the Spanish feudal class structure. He continued the practice of recognizing the special rights and privileges granted to the Tlaxcalan Indians and others who had aided in the conquest of New Spain. In the case of the Tlaxcalan Indians it meant that while they acknowledged the sovereignty of the Spanish king, they enjoyed considerable autonomy in their local affairs. Mendoza followed the example of Cortés in appointing Aztec chiefs, known as *tecles*, to govern the Aztec people living in the Indian quarters, called *barrios*, of Mexico City. In the same spirit he encouraged Indian towns to elect *alcaldes* and *regidores* after the Spanish *cabildo* model. These elected officials had to meet his approval, thereby keeping ultimate control in his hands. A friendly Indian nobility aided in developing a loyal and productive Indian labor class. It also contributed to the defense of the kingdom, especially when one bears in mind that the Spanish settlers were too few in number to bear the burdens of defense alone. The Tlaxcalans and other Indian allies proved their value to Mendoza in coming to his aid in the Indian uprising of the Mixton War.

The recognition of the Indian aristocracy meant that Spaniards who married Indian aristocratic women could claim noble lineage. This proved a boon for many Spanish settlers,

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who could claim no noble descent in Spain. Out of this union came the *mestizo* who makes up the dominant element in the Mexican and Mexican American today. These were frequently illegitimate; that is they were not contracted in accordance with the laws of the church and state. The *mestizos* were the offspring of two cultures and proved to be a problem to the Spaniards and Indians alike. They were not completely accepted in either cultural world. Today no serious scholar will deny the significance of the *mestizo* heritage in the Mexican and Mexican American peoples.

Below the Indian aristocracy was the vast population of Indian peons, the ancestor of the present day Indians in Mexico. They constituted the majority of the citizens of New Spain. They were recognized as citizens and it was the obligation of the viceroy to see that their rights were protected and converted to Christianity. At the same time they served as a productive labor class. It was a difficult task for any Spanish administrator to reconcile the rights of citizenship and the need for a productive labor class that would produce the desired royal revenue. It meant guaranteeing the Indian his freedom as a Spanish citizen and at the same time forcing him to work for the Spaniards.

The crown's paternalism was very much in evidence in the decrees protecting the Indians. The native subjects were seen as people of inferior culture, who required special protective legislation in their relationships with the superior Spaniards. This attitude is the prevailing spirit of Mendoza's Indian policy. He advised his successor, Luis de Velasco, that Indians should be watched over and punished like sons. This paternalism was reinforced by his attitude that the Indians are cunning and that they are not to be trusted too much. Accordingly, on Monday and Thursday mornings he made it a practice to listen to Indian complaints "notwithstanding the smell of perspiration and other evil odors." These conferences frequently led to charges that the viceroy was too gullible in

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accepting Indian grievances at face value. His policy was a mixture of leniency and harshness.

One of the first acts of the viceroy shortly after his arrival was to evaluate Indian tribute, which had been imposed on them by the *conquistadores* and early governors. Many of these he found excessive and ordered them reduced. Revenue from these tributes aided in payment of royal officials' salaries and upkeep of the Church in its conversion mission. The surplus was sent as royal revenue to Spain. The viceroy considered this source of income very limited. Although he did encourage the Indians to pursue their traditional agricultural production, he saw the real source of income in mining, silk, wool, cattle, and Spanish agricultural products. These industries, either of Spanish origin or development, required an Indian labor force in order to be revenue producing.

Many of the ordinances issued by Mendoza sought to protect the Indian laborers who worked for the Spaniards and Indians. Frequently, the ordinances dealt with amounts that Indian burden bearers were allowed to carry. The practice of human burden carriers was a practice of long standing among the Indians who had no beasts of burden. Mendoza desired to eliminate gradually the custom through the introduction of beasts of burden, carts, and road construction. By 1546 he had issued a total of fifty orders calling for the building and repair of roads.

Of particular concern to the viceroy were the labor conditions in the mines. His regulations in this area covered the type of work permitted, the proper food and clothing and decent wages. He showed his concern in the enforcement of these regulations when he removed Francisco Vásquez de Coronado, the explorer of the present day United States southwest, as governor of New Galicia, charging him with exploiting Indian mine workers.

The health of the Indians was another solicitude for the viceroy. Many of his mining regulations were efforts at

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outlawing conditions that were injurious to the workers' health. He forbade the taking of Indian workers from a lower altitude to a higher one or vice versa, since this could injure their health. His work for protection of the Indian's physical well-being was especially demonstrated in his attempts to end the epidemic among the Indians in 1545. The concern merited for the viceroy the title of "*padre de los pobres.*"

The paternalistic concern of Mendoza included the development of good moral habits among the Indians. In this regard he was greatly aided by the missionaries and Church officials, especially the first bishop of Mexico City, Juan de Zumárraga. Many of his ordinances were aimed at eliminating gambling and drinking among the native people.

A frequent source of complaint concerning abuses of Indian labor was the *encomienda*. This labor device was of Hispanic origin and had been introduced in New Spain by Cortés. It was a formal grant of Indian laborers, usually the inhabitants of a town or a cluster of towns, made to a deserving Spanish colonist who had aided in the conquest. The person to whom the Indians were entrusted was known as an *encomendero* who was empowered to exact both tribute in kind and labor service. In return the *encomendero* was required to render military service in defense of the kingdom and provide for the Christianization of the Indians committed to his charge. During the early colonial period the *encomienda* was frequently called a *repartimiento*, meaning a distribution or allotment of Indians entrusted to a Spanish colonist. Since crown policy opposed the enslavement of Indians, this labor system served as a convenient means for exacting forced Indian services without enslaving the native people. At the same time it made the Indians revenue producing citizens for the royal treasury and provided the empire with a military force to defend the new territories. This relieved the king of the duty of keeping a large standing army in the New World. The viceroy was fully aware of the invaluable aid the *encomenderos*

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gave him in suppressing the Indian revolt in the Mixton War of the 1540's. Finally, it made it convenient for the king to fulfill his obligation to Christianizing the Indians. Lesley Byrd Simpson, an authority on the *encomienda* in New Spain, finds much good in the institution, especially in those *encomiendas* that were entrusted to a humane *encomendero*. Hernán Cortés is frequently cited as an example of an *encomendero* who was very much loved by his Indians. It must be borne in mind that the institution was a grant of Indian service – not a grant of land although there is evidence to show that it became such with the passage of time.

Unfortunately, there must have been many *encomenderos* who were more interested in exploiting their Indian workers than in fulfilling the obligations to their charges. It was precisely these abuses that Bishop Bartolomé de las Casas denounced so bitterly; in fact, his answer was the immediate abolition of the *encomienda*. The bishop saw a partial victory in the crown's passage of the New Laws in 1542. The laws called for the immediate abolition of Indian slavery. This provision was especially directed at the Spanish colonists who under the guise of capturing rebellious Indians enslaved them. The New Laws did not fulfill Las Casas's goal of the immediate abolition of the *encomienda*, but worked for a gradual termination of the institution in stating that the *encomienda* was abolished on the death of the present owners. The laws required all Church and government officials to relinquish their *encomienda* holdings immediately. Finally restrictions were placed on Spanish explorations so that Spaniards should have no further control over the Indians, their personal services or tributes.

Francisco Tello de Sandoval, a member of the Council of the Indies, was appointed *visitador* and charged with the duty of going to New Spain to see that the New Laws were enforced. He also was empowered to conduct an investigation, a *visita*, of the viceroy's conduct in office. Cortés supported the

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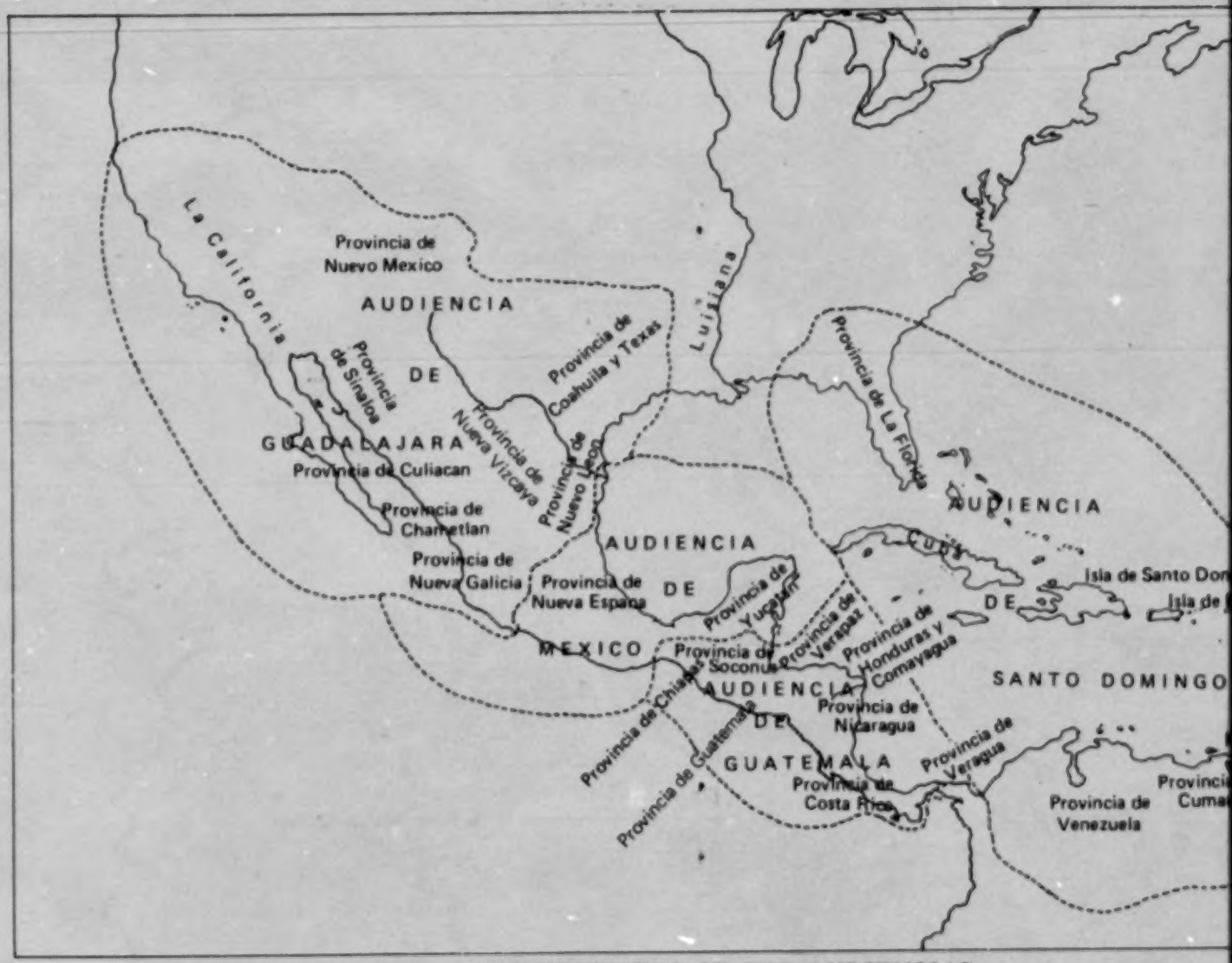
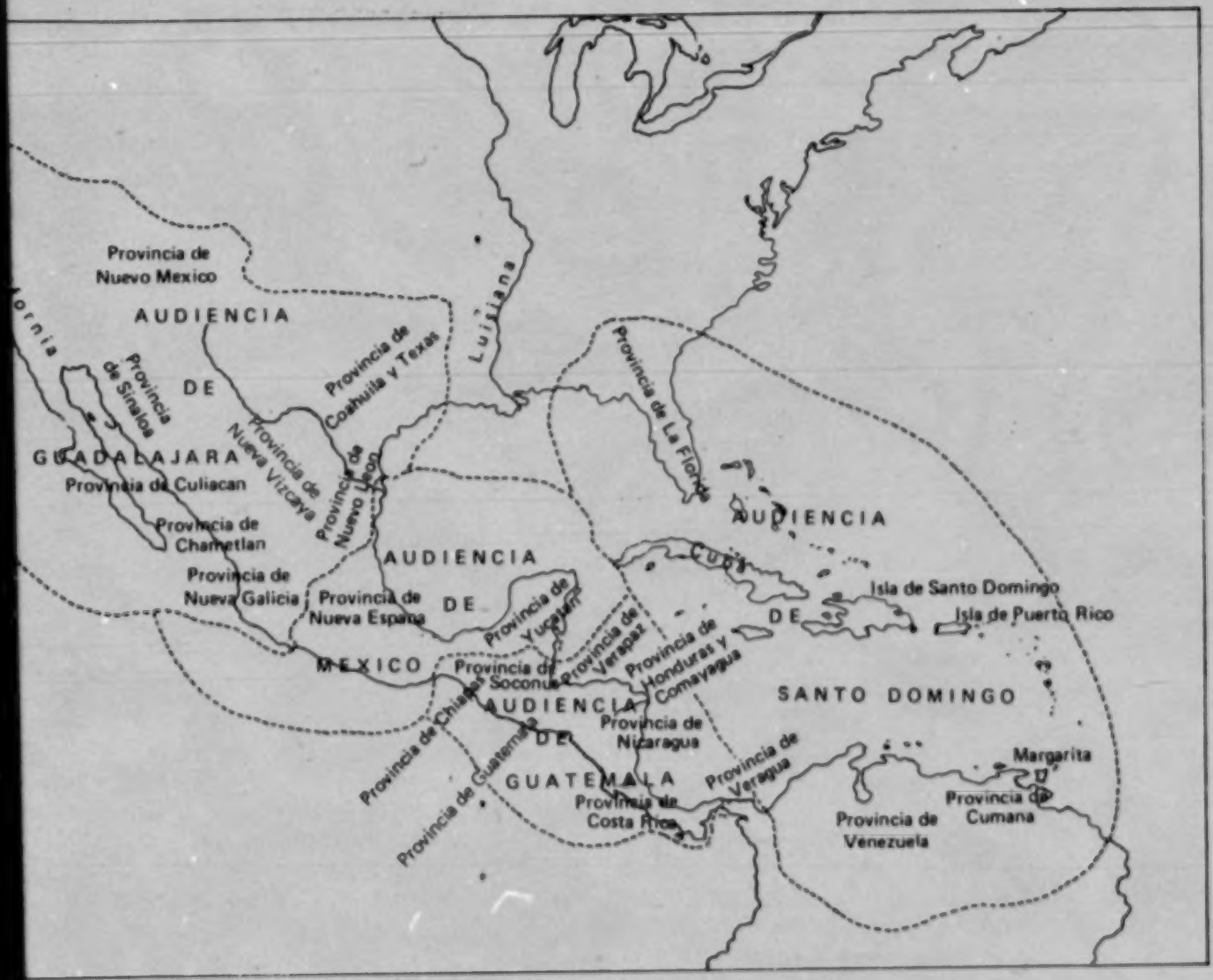


JURISDICTIONS OF THE *AUDIENCIAS*



JURISDICTIONS OF THE *AUDIENCIAS*

investigation. He still hoped to regain his political power in New Spain if Mendoza could be removed. Sandoval arrived in Vera Cruz on February 12, 1544. News of the detested New Laws had preceded his arrival. Opposition to the *visita* came from all quarters, Spanish officials, settlers and religious leaders, who urged the crown to repeal the provisions that struck the hardest at the *encomienda*. For these it was the killing of the goose that laid the golden egg. The lack of tact on the part of Sandoval shortly after his arrival aroused further hostility. He completely disregarded viceregal authority and acted as though he were the viceroy. He immediately reported to the crown accusations against Mendoza, which he had gathered from the enemies of the viceroy, without giving Mendoza an opportunity to defend himself. The investigator's conduct contrasted sharply with that of the viceroy who urged caution and delay in the official publication of the New Laws. Mendoza along with his *audiencia* was fully aware that the Spanish settlers and royal revenue were dependent on Indian labor. Abolition of the system could result in economic disaster. His suspicions were confirmed by the departure of six hundred Spanish settlers who feared the loss of their holdings. Most of all the viceroy foresaw the loss of the backbone of the defense of his kingdom. He reported the seriousness of the situation to the crown, arguing that "all the provisions made or which could be made would not be sufficient remedy (for the protection of the Indian labor). Even if His Majesty deprived them of their offices and cut their (Spanish officials) heads, he could not make them enforce the laws which destroyed his rents and his vassals (subjects) and depopulated the country which needed inhabitants." The viceregal recommendations in the matter resulted in the royal edict of October 20, 1545, which suspended the provisions abolishing the *encomienda*. At the same time Mendoza gathered an exhaustive report on his conduct in office, which effectively refuted the accusations of Sandoval. The Council of the Indies in its study of the

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merits and demerits of the investigation became convinced that Sandoval had political aspirations in New Spain. Its conclusions gave Mendoza a clean bill of health and resulted in the recall of the *visitador*. The effect of the decision further dimmed Cortés' hope to regain his rule in New Spain. Needless to say, the cause of Mendoza was greatly aided by the fact that his oldest brother served as president of the Council of the Indies.

A possible alternative to forced Indian labor was the introduction of African slavery. This had already been done in the Caribbean Islands, where the decimation of the Indians led to a demand for the African slaves to replenish the labor supply. African slaves accompanied the *conquistadores* to the Mexican mainland. Many of these had been originally brought from Spain as was the case of Estevánico, a companion of Alvar Núñez Cabeza de Vaca, who accompanied Fray Marcos de Niza in 1537 in search of the Seven Cities of Cíbola in our present Southwest. Even the good Bishop Las Casas in his zeal to protect the Indians favored the introduction of African slavery to save the Indians from forced labor demands. Later in his life he regretted the statement and publicly retracted it. There were compelling reasons why African slavery was not a satisfactory answer for the labor problem. Africans in the West India islands on a number of occasions proved to be a rebellious lot. Mendoza and the Spanish settlers were fully aware of this danger, which caused them to be reluctant to admit large numbers of Africans to New Spain. Not only might the black slaves rebel, but they might incite the Indians to do likewise. The viceroy's fears were confirmed shortly after his arrival when on September 24, 1536, he uncovered a Negro plot to overthrow the Spanish rule. He quickly suppressed the conspiracy and ordered the curtailment of importation of African slaves. He forbade Negroes to bear arms, assemble and be out late at night. As a further precaution he strengthened the defense of Mexico City. The number of

Africans arriving during the colonial period remained relatively small and became part of the *mestizo* people. The obvious answer to the labor problem continued to be the Indians and on them rested the economic development of New Spain.

THE VICEROY FURTHERS INDUSTRY AND AGRICULTURE

Successful colonization requires the development of a solid economic base which can support the inhabitants in their essential needs. This is imperative for territories remote from the mother country. Furthermore, Spain's limited resources could never support her overseas possessions which in geographic size and number of inhabitants surpassed the mother country. For Spain the chief economic value of her colonies was the production of raw materials that she would have to purchase from foreign nations if they were not produced within the empire. The Spanish and English empires had much in common regarding their economic use of the colonies. Ideally Mendoza and his officials sought to develop New Spain economically in such a way that it would serve both the interests of the empire and the colony. The objective was bound to result in a conflict of interests between Spain and her overseas kingdoms.

The first viceroy quickly saw the value of native agriculture although he considered the introduction of Spanish products and technology as having greater economic potential. He encouraged the native development of maize, cocao (chocolate), potatoes, beans, yams, tomatoes, manioc (which yields tapioca), new species of nuts and melons and vanilla. To this list must be added the maguey plant, which was all things to all men. One writer described it as "the tree of marvels...it furnishes water, wine, oil, vinegar, honey, syrup, bread, needles, and a hundred other things." No list of Indian agricultural products is complete without tobacco, which made grateful slaves in all continents.

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To enrich the Indian agrarian economy the Spaniards brought wheat, oranges, lemons, bananas, limes, peaches, apricots, apples, pears, grapes, olive, sugar cane, coffee and rice. Many of the products served as the basic agrarian food supply for the people of New Spain. The kingdom achieved much prosperity in the production of wheat and sugar, but on the whole the viceroy was unable to solve the eternal problem facing Mexico— an adequate food supply for its inhabitants. On a number of occasions Mendoza ordered *corregidores* of the neighboring Indian towns to bring food to the capital in order to sell it at regulated prices to people in need. Much of the land in Mexico is unsuitable for agriculture. The land surface is so sliced and spotted by mountains, deserts and jungles that less than one-tenth can be cultivated.

Agricultural productivity was increased through the use and development of the Indian irrigation system and the introduction of Spanish technology such as the windmills, plow, grist mill and fertilizers. The most revolutionary innovation was the wheel, which made possible the cart. The introduction of farm tools and the cart not only aided agricultural development but reduced hard labor for the Indians.

Cotton served as one of the chief sources for the Indians' clothing. To this the Spaniard added wool and silk. The introduction of merino sheep, noted for their fine wool quality, were of great interest to Mendoza, who grew them on his ranches. The center of the woolen industry was Texcoco, near Mexico City. The viceroy opened woolen stores in the capital and Michoacán. The Tlaxcalan Indians became very adept in the art of wool weaving as was later the case with the Navajo Indians, when the Spaniards introduced sheep into our Southwest. The silk industry in which Mendoza took great pride, along with the wheat and sugar, proved to be very prosperous, in fact so much so that it aroused the jealousy of the silkmen in Spain, who later on succeeded in having the

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industry suppressed in New Spain. The center of the silk industry was Mexico City. Mendoza appointed inspectors and notaries to watch over the development of this budding industry. His ordinances of 1542 prohibited the use of slave spinners and regulated the amount of silk that could be produced in the various towns.

The introduction of Spanish cattle greatly increased the Indian meat diet, which prior to the coming of the Spaniards was in the main dependent on hunting wild animals, turkey or fish depending on the area where the Indians lived. The livestock of the Spaniards included horses, mules, oxen, cows, sheep, goats and pigs. The story of the horse in the conquest and extension of the northern frontier is well known as is also the role of the horse in the development of the cattle industry. The cow and the horse have been immortalized in the folklore of the *vaquero*, the ancestor of the United States cowboy. Under Mendoza the sheep and cattle multiplied so rapidly that they became a nuisance to agriculture in the central plateau of Mexico. The viceroy attempted to alleviate the situation by encouraging the planting of grass around the marshy areas of the lake in the capital so as to provide fodder for the cattle. At the conclusion of the Mixton War in the 1540's the northern frontier was opened which provided ample grazing land for the expanding cattle kingdom.

The importance of the cattle industry can be seen in the formation of cattlemen and sheepmen associations, known as the *mesta*, which had its formal beginning in 1542. These associations were modelled after the powerful *mesta* in Spain and are the forerunners of our western cattlemen associations. The *mesta* had its own *alcaldes* and handled cases of first instances involving the rights of cattlemen. Membership requirements included the holding of at least three hundred or more sheep or goats, or twenty or more head of cattle. The association generally met twice a year at which time they passed ordinances protecting their interests. Many of the

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ordinances dealt with brands, grazing and water rights and required the approval of the viceroy. The Mexican *mestas* never achieved the power and prestige of their Spanish counterparts; however, they did constitute a privileged group since the well-being of their industry was indispensable to the economic development of Mexico.

The true economic value of New Spain lay in her agrarian economy but for the crown and his officials the most valuable of all were gold and silver. The gold and silver that Cortés and his men took in the conquest of the Aztecs led to exaggerated expectations of vast treasures. Rumored reports of vast gold treasures never materialized. The poor quality and amount of Aztec gold and silver proved disappointing to the Spaniards, but it did not take long for the Spanish colonists to realize that vast silver deposits were underground. The first silver mines were discovered by Spaniards in the early 1530's in the general area of Michoacán west of the capital, about ten years after the defeat of the Aztec people. This was immediately followed by the issuance of the first mining ordinances in America by the *audiencia* and the appointment of *alcaldes mayores* to administer the mining industries. The first mint, know as the *casa de fundición*, for the coinage of silver and copper, was founded in Mexico City.

Approximately a year after the arrival of Mendoza in 1535, some Germans skilled in mining techniques arrived and brought with them the knowledge of smelting silver ores. It was with their arrival that the shipment of mined silver to Spain began to assume importance. The smelting process introduced by the Germans was satisfactory only for rich ores. The more efficient patio process of amalgamation with quicksilver was not introduced until 1566, six years after Mendoza left his viceregal post for that of Peru. Mining operations expanded into Oaxaca, the southern area of Mexico, and into New Galicia, the northwestern area. Near Compostela in New Galicia, the famous mine of Espíritu Santo

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was discovered in 1543. The discovery was followed five years later by the one of Nuestra Señora de Zacatecas destined with those of Guanajuato to be the richest in New Spain. The "silver rush" of the 1530's and 1540's led to the founding of "boom towns", a story that was repeated in the western United States a little over three hundred years later.

The mining boom was accompanied by much chaos and lack of governmental control over the expanding frontier. Law and order in an early mining community was frequently what the mining prospectors made it to be and under these conditions the gun was the most effective means to claim ones rights. The first viceroy's concern over this lawlessness and the need to protect the mine workers was demonstrated in his mining ordinances. There was little regulation of mining prior to the *audiencia* mining ordinances of 1532. The first mining ordinances of Mendoza was issued in 1536. It dealt with the administration and protection of mine workers. Three years later he issued the ordinances, know as "Mines of New Spain", which set up the complete machinery for the control of the extraction of the king's share, the royal fifth. It included such safeguards as accounting, chest of three keys (requiring three officials with different keys to be present at the opening of the royal money box), inspection and individual stamps to indicate ownership. These ordinances proved inadequate for the expanding industry. He published additional regulations in 1543 and 1548, which became part of the preamble of his famous mining code of 1550. It was this last one that continued to be in vogue through the 1550's and many of its provisions served as the basis for the western mining code in the United States. The key provisions of the code covered the denouncing, measuring and registering of mines. A far reaching principle in the code states that the claimant of a mine must perform a certain amount of work in the mine as a condition of continued ownership. A mine owner who did not meet this stipulation could be denounced and forced to forfeit

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his claim. The system of denouncement continued for three hundred years until the Mexican government introduced taxation of mine properties which meant that payment of taxes was sufficient to hold the mine. Mendoza's principle of denouncement became an accepted practice in the western mining codes in the United States.

The mines of New Spain and later those of the Kingdom of Lima made Spain the richest country in Europe. It paved the way for the "Golden Age" of Spain, but it was a fleeting moment. The wealth of the Indies did not remain in the mother country but ended in the hands of northern European bankers to whom King Charles was deeply indebted. The rapid accumulation of Spanish silver in Europe resulted in inflation. It afforded northern European bankers and businessmen the necessary capital to finance colonization projects in the New World. In the end the riches of the Indies returned to haunt Spain as new rivals began to challenge her American empire.

If Mendoza considered it necessary to provide his king with further proof of an expanding economy, he needed only to point to the founding and rapid growth of cities in New Spain. He strengthened the defenses of the fort of San Juan de Ulúa in the port of Vera Cruz. The city of Puebla became a major city due to the rapidly growing silk industry. A number of present day major centers can trace their origins to the time of Mendoza; Valladolid in Michoacán (presently known as Morelia), Guadalajara and Zacatecas in New Galicia. To encourage settlements in the new and old centers liberal land grants were made to the citizens of the town. These grants led to a profitable real estate business. An *oidor* in the Guadalajara *audiencia* by name of Tejada developed his real estate business to such a grand scale that he can be classed as the first great real estate promoter in the New World. The viceroy's promotion of towns also extended to the Indian districts. He, like many of his contemporaries, was convinced that the congregation of Indians in towns was the most

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effective means for their conversion and more rapid assimilation into the Spanish way of life. The viceroy was also pragmatic enough to know that Indians in towns could provide a more convenient labor supply than those roaming around in the countryside.

The rapidly expanding towns depleted the natural resources of the countryside. The reconstruction of the capital after its destruction during the conquest required immense quanties of timber which also was needed as daily firewood. The timber demands threatened the destruction of the beautiful cedar forests near the city. Mendoza made every effort to preserve these timberlands and thus might be called the first conservationist in the New World. His conservation efforts apparently did not extend to the mining communities where the destruction of the natural resources proved to be even more extensive.

If we judge the career of the first viceroy solely by his achievements in laying the economic foundations of the new kingdom, we would have to term it an unqualified success. Economic administration is only one facet of the many activities of Mendoza. Equally significant is his interest in expanding the northern frontier, which terminated in Spain's claiming our present day Southwest.

THE VICEROY EXPANDS HIS KINGDOM

Prior to the arrival of Mendoza in New Spain Cortés and Nuño de Guzmán undertook explorations in New Galicia northwest of Mexico City. These activites resulted in Cortés' discovery of Lower California and the founding of La Paz in the winter of 1534 and 1535. The arid climate and terrain proved too harsh for a lasting settlement and he abandoned the project in 1536. Both Nuño de Guzmán and Cortés were actively seeking the governorship of New Galicia. Mendoza wanted no such dangerous rivals in an outlying district. Nuño de Guzmán realized his goal, but only for a brief time.

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It was at this time (1536) that Alvar Núñez Cabeza de Vaca, Andrés de Dorantes and Alonso de Castillo, accompanied by the black Moorish slave, Estevánico, arrived in Mexico with strange stories about the north. These men were the survivors of the ill-fated Narváez expedition to Florida in 1528, which started with three hundred men. They had traveled from Florida along the gulf coast to Texas where they spent several years among various tribes of Texan Indians. From Texas they made their way to Chihuahua, Sonora and Culiacán in New Galicia. The stories of riches and the Seven Cities of Cíbola made the viceroy a very interested listener. Mendoza became convinced the area must be explored to verify the reports and justify the expenditure for a full scale exploration. The viceroy's plan called for sending a small party to investigate the reports under the leadership of Fray Marcos de Niza, vice-commissioner-general of the Franciscan Order in New Spain. The viceroy felt it wiser to entrust the delicate mission in the hands of a religious man rather than in the hands of a self-seeking *conquistador*. Fray Marcos was accompanied by a Franciscan companion, Fray Onorato, Estevánico and some few friendly Indians. The instructions dated March 7, 1539, from the viceroy to Fray Marcos stated:

> Be careful to note the kind of people, if they are numerous or not, and if they are dispersed or live together; the quality and fertility of the land, its climate, the trees and plants, domestic or savage animals, the aspect of the country, whether rugged or level, the stream, if large or small, and rocks and metals. And of whatever objects it may be possible to bring or send samples, bring or send them, in order that his majesty be informed of everything...If God Our Lord should grant.[2]

Mendoza admonished the friar to report back to him with due secrecy:

[2]Woodbury, Lowery, *The Spanish Settlements with the Present Limits of the United States 1513-1516* (New York: Russell and Russell, Inc., 1959). p. 262.

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in order that everything be prepared without commotion and that, in the pacification of what may be discovered, the service of our Lord and the good of the people of that country be properly secured...And though the whole earth belongs to the Emperor, our master, you will, in my name, take possession of it for his majesty...and to the natives you will give to understand that there is a God in heaven, and the Emperor upon earth to rule and to command them, to whom all have to be subject and serve him.[3]

The small party on its trip from the capital to Culiacán was accompanied by Francisco Vásquez de Coronado, newly appointed governor of New Galicia. The friar's trip northward terminated in the land of the Zuñi Indians, in present day western New Mexico. Here he arrived at the Zuñi pueblo of Hawaikuh, which he believed to be the first of the Seven Cities of Cíbola. Estevánico's mistreatment of the Indians resulted in his death. Fray Marcos, convinced not to press his luck any further, decided to return and report his findings. If anything, the report shows that the friar had a good imagination. "It appears to me that this land is the best and largest of all those that have been discovered." The report spurred efforts for an additional expedition and among the volunteers to lead the venture were Cortés and Pedro de Alvarado, companion in arms of Cortés and *conquistador* of Guatemala. Cortés's services were rejected and in 1540 he returned to Spain to plead his case, never again to return alive to his beloved Mexico. Mendoza agreed to have Alvarado participate in a naval expedition along the northwest coastal area. Alvarado was promised a fourth of the shares from the proceeds of the venture. Mendoza's choice for the land expedition was Francisco Vásquez de Coronado, who had come to New Spain with the viceroy.

The expedition was organized in Compostela, the original government seat of New Galicia, in February of 1540. It consisted of three hundred Spaniards and eight hundred Indian allies with a great store of firearms, horses, cattle, pigs

[3]Cited in *Ibid.*

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and sheep provided at the viceroy's expense. Altogether it is estimated that there were 1005 beasts. The party was ready for its formal departure on February 22, 1540; and it must have been a very colorful and impressive sight indeed. Aiton described it as follows:

> On Sunday, February 22, 1540, all was ready for the start and the little Spanish town of Compostela became the center of European interest in North America. The viceroy was present in person with his guard and attendant officials to pass the troops in final review and to impart his last instructions. A host of notable personages were in attendance to witness the departure and to bid friends and relatives "godspeed". It was a brilliant spectacle as the three hundred mailed horsemen, armed with lances and mounted on picked steeds from the viceroy's ranches, accompanied by two hundred foot-soldiers and over a thousand native allies paraded by the king's representative. The whites in corselet, casque, and silks, with lance, sword, harquebus, and crossbow, made a striking contrast to the swarm of Indians in vivid paint, festive attire, nodding plumes, and with spears, clubs, bows, and quilted armor, that crowded the background. The following day, after they had sworn an oath of fidelity to their commander, with pennons unfurled and in organized companies, the expedition set forth. Regretting that he could not go all the way, Mendoza accompanied them on the march for two days. In the wake came almost a thousand camp-followers, black and red, with the baggage and supply train of horses and mules, the latter laden with light mountain guns, and accompanied by a commissary "on the hoof" of cattle, sheep, and swine. Vásquez de Coronado, resplendent in gilded armor and gay trappings, but loath to part with his wife, rode none too gaily to the fate that would mar his career. [4]

Few expeditions in the New World could rival the splendor and grandeur of this one—all in search of the ever elusive Cíbola.

The grand tour took the Coronado expedition through the present day states of New Mexico, Arizona, Texas, Oklahoma and as far north as the southern part of Kansas. Harsh winter conditions, difficult terrain and hostile Indians were only some

[4] Aiton, pp. 125-126.

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of the obstacles in the path of Coronado. The casualty rate increased as the expedition pushed northward. Coronado did capture Hawaikuh, reported to be the first of the Seven Cities of Cíbola by Fray Marcos. It proved to be a mirage and the search for Cíbola became a search for the land of Quivira.[5] The reported existence of Quivira was furthered by Indians, who found it a convenient means of urging the strangers to pass on. Although the fabulous wealth was never found, the expedition did bring back a storehouse of knowledge about geography and life of the inhabitants of the area. An advance party under the command of Pedro de Tovar and Garcia López de Cárdenas discovered the Grand Canyon. The expedition was also the first European contact with the Plains Indians; namely, the wigwam towns of Wichita Indians in southern Kansas. The Coronado party also sighted buffaloes, which had been reported earlier by Cabeza de Vaca. Such were not the goals of the tour and bitterly disappointed Coronado decided to return in April of 1545. In contrast to the color and fanfare with which the expedition began, it returned in disarray to Culiacán in June of the same year with barely a hundred men left. It proved to be the last notable expedition by a *conquistador* before Spanish settlers began the slower movement of the cattle and mining frontier into the United States southwest.

Mendoza's interest in the northern expansion of the frontier was not solely dependent on the Coronado undertaking. In May of 1540 he dispatched Hernando de Alarcón with three ships and twenty men to proceed up the northwestern coast of Mexico. The expedition arrived at the mouth of the Colorado River, where they ventured inland to the Gila River to present day Yuma. He was informed by the Indians in the area that they had met men similar to these belonging to Alarcón in the interior, apparently an advance party of the Coronado group.

[5] Mythical land that the Spaniards believed was located in the present day southwestern United States, where there were supposed to have been fish as large as horses and a great king who ate from golden dishes and rested under trees hung with bells of gold.

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The expedition was of short duration, returning in November of 1540. It proved that Lower California was not an island as had originally been believed. In spite of the discovery, the belief in Lower California as an island persisted until the late 1600's.

On June 27, 1542, Mendoza dispatched a naval expedition under the command of the Portuguese Juan Rodríguez Cabrillo. He sailed northward along the western coast of lower California and in September of the same year he arrived at the present day location of San Diego, which he called San Miguel. Here he heard Indian reports of men with beards, dogs and Spanish weapons. News of Coronado's trip was obviously getting around. He continued his sailing northward, arriving at the Bay of San Francisco, where the commander died. Under the command of the chief pilot, Bartolomé Ferrolo, the expedition went as far north as the present day state of Oregon. It was the first European venture this far north and its achievement compares favorably with the better known voyages along the eastern coast of the United States. Ferrolo returned to New Spain after an absence of nine and one-half months on April 14, 1543.

Mendoza's interests in territorial expansion did not limit itself to the northern frontier. Around 1543 he aided Ruy Gómez de Villalobos' voyage to the Philippine Islands with the goal of founding a settlement. Since the area was being disputed by the Spanish and Portuguese crowns, the colonization project was halted. An apparent side effect of the venture was the discovery of the Hawaiian Islands by Juan Gaetano, the pilot of the expedition. There is no record of the discovery but Hawaiian tradition speaks of such a visit and relates that two members of the expedition remained on the island and became ancestors of a royal line.

Finally, the viceroy pushed conquest and colonization undertakings in Yucatán, the interior of which the Spaniards never effectively controlled. He supported colonization efforts

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with money, ships, horses, cattle, sheep, munitions and supplies of all kinds.

Mendoza was not a *conquistador* in the sense of Cortés, but he was an organizer of expeditions that extended east, north, and west to the Philippines. His colonization projects laid the basis for the imperial limits in these directions. Expansion efforts were not always peacefully accepted by the Indians, who were the victims of the new invaders. The fate of northward expansion rested on the outcome of the resistance of the Indians in the Mixtón War.

MIXTON WAR

Reports of Indian resistance to Spanish rule were not unfamiliar to the crown's officials. What proved to be surprising in the case of the Indian uprising in New Galicia, known as the Mixtón War, was the intensity and scope of the rebellion.

There were apparently many factors that prepared the ground for the unrest. Nuño de Guzmán's misrule of New Galicia left a legacy of Indian discontent. The initial indications of unrest occurred in the rebellion of 1538 near Jocatotlán, which Diego Pérez de la Torre at the cost of his life quickly suppressed. The situation did not improve greatly when Coronado took over the governorship. During Coronado's excursion to the north Cristóbal de Oñate served as acting-governor with the aid of Luis de Galindo. The fact that the northern expedition took many troops from the area left New Galicia weak in the face of an Indian uprising. A frequently cited cause for the rebellion is the cruelty of the *encomenderos* in the exploitation of the Indian labor. It is further argued that the Coronado expedition northward provided the Indians the opportunity to seek revenge against their cruel masters. Related to these causes is the opinion that Mendoza sent the expedition through Indian territory, thereby further arousing their hostility. The viceroy denied

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this, claiming that the land and naval forces did not pass through the territorities of the rebellious Indians. He blamed the wild tribes of the north for inciting the peaceful Indians of Tlaltenango and Suchipila to overthrow the Spanish yoke. As evidence, which he gathered from missionaries in the area, he accused the medicine men of the northern wild tribes of promising the Indians of New Galicia that they no longer would have to work since everything would be provided miraculously and the ancient gods of the Indians would assure them a triumph. In the eyes of Mendoza this meant a religious revolt against all Spaniards and all Christians in the New World. The true causes for the rebellion were probably a combination of factors—cruelty of *encomenderos*, Indians' being ripe for rebellion and incitement to rebellion by northern tribes.

Mendoza never realized the true extent of the unrest until it was a full blown revolt. As a result he wasted much time in negotiations and sending small military contingents, which could not cope with the insurrection. The first center of opposition was at Tepestistaque, where Indian medicine men from Zacatecas urged the Indians of this town and those of near-by Jalpa and Tlaltenango to resist the Spaniards. The Indians concentrated their forces on the *peñol* of Tepestistaque. *Peñoles*, common in the area, were fortified hill positions, where frontal attacks could prove to be suicidal. A small Spanish force under the command of Miguel de Ibarra tried in vain to dislodge the Indians from their stronghold. The success spurred other Indians to build similar *peñoles* in Mixtón, Acactic, Nochistlán and Cuinao. The growing revolt touched off much violence against the *encomenderos* and Negro slaves in the area. Fortunately for the Spanish authorities the rebellion was confined to a relatively small area but continued success could result in a widespread revolt in western Mexico.

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Mendoza did not arrive on the scene until Christmas time of 1540. He saw the uprising as an insignificant local matter. After the failure of Ibarra and other subsequent defeats, the viceroy called for a conference to deal with the problem. The meeting included Pedro de Alvarado, Cristóbal de Oñate, Bishop Marroquín of Guatemala, Miguel de Ibarra and prominent personages of New Galicia. In accordance with the wishes of the viceroy the group mapped out a plan for suppressing the rebellion. Cristóbal de Oñate was selected to head a force of fifty Spanish horsemen, foot soldiers, Indian allies and supplies of cannon and firearms. With this force Oñate attempted unsuccessfully to take the Mixtón *peñol* and retreated to Guadalajara. Again the Indians' ability to resist had been underestimated.

The failure of Oñate caused Mendoza to realize the true gravity of resistance and the threat it represented to the security of Guadalajara. He ordered reinforcements and solicited the aid of Alvarado, who was about to embark on another exploration venture. For the impetuous Alvarado, suppressing the rebellion was a side show that he could very easily take care of and get on with the more important business of finding new lands and wealth. On June 24, 1541, the commander with a force of one hundred horsemen and infantrymen and five thousand Indian allies set out for the *peñol* of Nochistlán. Despite warnings he conducted a frontal attack on the fortification. In the ensuing confusion of battle his horse fell on top of him, causing mortal injury. Oñate, who had followed Alvarado at a distance, saved the force from complete annihilation. The Indians in their moment of victory now decided to take the battle initiative to the Spaniards by boldly attacking the Spanish stronghold of Guadalajara on July 4 with a force of 50,000 men. All Spanish resources were utilized in saving the city, including Beatriz Hernández, wife of a Spanish captain, who fought like an Amazon woman warrior. Legend has it that Santiago, St. James the Apostle

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and patron of Spain, appeared as the Indian warriors retreated.

The continued failure of the Spaniards to dislodge the Indians from their *peñoles* caused Mendoza to take personal command of the forces in New Galicia. He even went so far as permitting his Indian allies to ride horses and use Spanish weapons. Spanish authorities were reluctant to arm Indians since even though Indians were allies, the Spaniards had reservations about Indian loyalty. The viceroy employed peaceful persuasion and threats of punishment to force the Indians to surrender. This did not prove successful and the resistance at Nochistlán and Mixtón continued. An all out war was the only answer in driving the Indians from the *peñol* at Nochistlán. More formidable was the Mixtón *peñol*. Here he conducted a three week siege with a constant military bombardment. The Indian defenders suffered heavy casualties, and desertions from their ranks became the order of the day. It was one of the deserters who told the viceroy about a rear secret passage to the top of the *peñol*. With frontal and rear attacks Mendoza succeeded in driving the Indians from the Mixtón *peñol*.

At the height of their resistance the Indians numbered 100,000 led by a very capable Indian leader, Tenamaxtli. Minor areas of resistance continue but these were defeated by early 1542. The viceroy's military experience gained in the wars against the Moslems in Spain paid rich dividends and he proved that he needed no Cortés to achieve the "second conquest" of Mexico. The military successes did not stop the enemies of the viceroy from complaining about his misconduct in office. Now they added charges of cruelties against the Indians. It was imperative for Mendoza to give an account of his conduct and defend his government.

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THE VICEROY DEFENDS HIS GOVERNMENT

Mendoza returned a hero from the Mixtón War, but he still had to face the final desperate efforts of Cortés who was in Spain seeking the restoration of his political rule over New Spain. On July 6, 1543, the *conquistador* complained to Charles I that he was mistreated by Mendoza and accused the viceroy of favoritism, gross inefficiency and graft. Many of the accusations dealt with the enslavement and the cruel treatment of the Indians during the Mixtón War. Cortés urged the crown to conduct an immediate investigation of the viceroy. The accusations and recommendations of the *conquistador* received the support of Bishop Las Casas, who was critical of the harsh treatment of the Indians and continued conquests in Northern Mexico. All of this he saw as a continuation of the conquest, which deprived the Indians of their rights. The bishop was fully aware that the man who started the conquest in New Spain was Cortés; but in his zeal for the protection of the Indians Las Casas was not adverse to having his enemy as a bedfellow. The crown heeded the plea of Cortés by sending Francisco Tello de Sandoval to investigate the conduct of the viceroy. The investigator, known as a *visitador*, was the same one whom we met earlier, regarding the enforcement of the New Laws of 1542. The *visitador* arrived in New Spain on February 12, 1543.

As already noted his reception in New Spain by the Spaniards was very cold, since he was to enforce the New Laws, which sought gradually to abolish the *encomiendas*. The *residencia* or investigation of Sandoval was very extensive. The investigator's final report consisted of nineteen volumes including many of the charges that Cortés had leveled against the viceroy.

Added to the grave accusations of Sandoval was his arrogant behavior. As a *visitador* he was given extraordinary powers, that included taking over the function of the viceroy and the *oidores* during the *residencia*. He made his partisan

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feelings well known, stating that he desired to find the viceroy guilty and wanted testimony to that effect. He sought witnesses who had run afoul of the viceroy's justice. The investigator royally entertained Mendoza's enemies and even promised them governmental jobs. Opposition to his investigation was answered with the threat that he had the power to send the viceroy back to Spain whenever he desired to do so. Sandoval concluded his investigation June 21, 1546, with an official report to the crown. According to the report, Mendoza was largely responsible for the harsh punishments inflicted on the rebel Indians in the Mixtón War. Even more serious was placing the responsibility for the origin of the war on the shoulders of the viceroy. Other accusations listed were those of favoring friends, receiving gifts in return for personal favors, carelessness in the administration of royal revenue, mistreatment of Indians and incompetent leadership.

To challenge the power of Sandoval and company, Mendoza could call on the aid of his eldest brother, Bernardino, who was serving as president of the Council of the Indies. It was this body that was destined to hear the charges against the viceroy. October 30, 1546, the viceroy prepared his rebuttal, including three hundred and nine questions that he had submitted to the leading men in New Spain regarding viceregal behavior. The answers vindicated the viceroy's conduct.

The growing opposition to Sandoval's investigation prompted the president of the Council of the Indies to recall the *visitador* to Spain in 1547. The recall was the initial indication that the *visitador* had failed in his mission of making his accusations stand and enforcing the New Laws. On May 7, 1548, the council began its deliberations on the case of Mendoza. The final decision given the following September 14 went, as expected, against Sandoval. Mendoza's defense was greatly aided when it came to the attention of the council that the investigator had issued accusations against the viceroy

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before he initiated the *residencia*. Equally damaging to Sandoval's prosecution was the report that the *visitador* had political ambitions in New Spain— namely his interest in the presidency of the Mexico City *audiencia*. The final decision of the council left no doubt that it was well satisfied with viceregal administration. The judgment also dashed the last hopes of Cortés to regain his political power in New Spain. The vote of confidence was essential to the viceroy's continuation of a progressive administration that was becoming more and more involved in developing all phases of the spiritual and material needs of its subjects.

THE VICEROY PROMOTES CULTURAL LIFE IN HIS KINGDOM

To Mendoza belongs the honor of aiding the setting up of the first printing press in the New World. Major credit for introducing the press in 1536 belongs to Bishop Juan de Zumárraga. The first published book in 1539 was *La escala espiritual* by San Juan Clímaco and has the honor of being the first printed work in the New World. This first work on religious doctrine was followed by publications on grammar, dictionaries, and missionary accounts in native languages. Subsequent publications, all before 1600, included books on mathematics, physics, navigation and law codes.

Much credit must be given to the first viceroy in his support of education. In the 1530's the secondary school of Santa Cruz was opened under the direction of the Franciscans. It was located in Tlatelalco with 60 Indian students in attendance. The teaching staff included Franciscans and Indians, such as the Indian scholar, Antonio Valeriano, who taught grammar and who in the 1570's became governor of Tenochtitlán (Mexico City). The curriculum was oriented towards humanistic sciences and included courses in Latin, logic, philosophy and theology. One of the principal benefactors of the school was Mendoza.

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The viceroy played a very instrumental role in the founding of the school of San Juan de Letrán which continued in operation for more than three centuries. The student body was composed of children of diverse ethnic backgrounds, including *mestizos*. The core curriculum focused on the teaching of reading, writing, arithmetic and good moral habits. Financial support for the institution came from the funds gained by the sale of the viceroy's cattle. In addition Mendoza's educational concerns included the establishment of a school for destitute girls, who were instructed in religion, sewing and embroidering. His personal concern even involved the arrangement of marriages for the girls. He also started a school for abandoned children of both sexes in the province of Michoacán.

The viceroy was considerably ahead of his time when in 1539 he supported Bishop Zumárraga in seeking the founding of a university in Mexico City. The petition was not answered affirmatively until September 21, 1551 and became a reality in 1553, two years after the viceroy had left his Mexican post. Nevertheless, he deserves to be listed among the founders of the present day national University of Mexico, which along with the University of San Marcos in Lima, Peru, is the oldest university in the Americas.

One of the primary functions of higher education was the preparation of men for the priesthood. In New Spain the clerical training included the study of Indian languages so as to prepare the missionaries for their work among the Indians. Unfortunately, neither the viceroy nor the religious leaders of the period were willing to extend this training to Indians, so as to develop a native clergy. These men were skeptical about the depth of the religious conviction of their new converts. The ordaining of Indians to the priesthood might result in the leading of uneducated Indian masses astray in matters of faith and morality. The policy proved to be unfortunate in the long run since according to many writers Catholic Spain failed

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to develop a native clergy. The lack of an adequate Indian clergy plagues Mexico to the present day. The viceroy was farsighted enough to realize that if a native clergy is not developed in the long run, the faith could never flourish among the Indians. As vice-patron of Church affairs he was very conscious of his responsibility to further the Christianization of the Indians. According to Mendoza:

> The principle responsibility which his Majesty has constantly placed upon me has been the Christianity and good treatment of the natives. The means by which I have carried out those injunctions have been the religious orders. In this work they have given me the greatest assistance. Without them little could be done and for this reason I have always tried to favor, honor and love them as the true servants of God and of his Majesty.[6]

In carrying out his majesty's injunctions he was not hesitant in expelling unworthy clergymen as happened in 1543 when he ordered the expulsion of a number of priests for not wearing their religious garb, being disobedient to their superiors and placing material interests above spiritual ones. The viceroy knew full well that a good Indian Christian would also be a loyal citizen.

Mendoza devoted his efforts not only to the cultural and spiritual welfare of his subjects but he also furthered their physical well-being. Already noted were his efforts at road construction and introduction of beasts of burden to relieve the physical hardships of carrying cargo. Further evidence of this concern were his periodic ordinances protecting the health of the workers, especially those engaged in mining and textile occupations. His work in bringing relief to the Indians afflicted by the epidemic in 1545 aroused widespread appreciation of his good government. A lasting monument for his concern over the physical well-being of the people was his founding of the royal hospital in Mexico City in 1540. A

[6] Mendoza cited in James Aloysius Magner, *Men of Mexico* (Milwaukee: The Bruce Publishing Co., 1942), p. 157.

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superintendent was placed in charge of the institution, but the viceroy was expected to inspect the facility periodically. The inspection duty frequently fell on the shoulders of one of the *oidores*.

The burdens of the viceregal office began to tell on the viceroy in the closing decade of the 1540's. It is not suprising to find him during the final years of his administration requesting the crown to relieve him of his duties due to ill health. The many and varied functions of the first viceroy would have taxed the mental and physical resources of any man.

FINAL YEARS OF THE VICEROY

A major task for Mendoza throughout his administration was the maintenance of good relations between the Indians and the Spaniards. A serious breakdown in this area could jeopardize Spanish control of New Spain. Neither would a rebellious Indian population provide the labor force that was indispensable to the economic well-being of the kingdom. The Mixtón War served as a grim reminder of these fateful prospects. Although the Mixtón War proved to be the last major resistance of the Indians in New Spain, continued Indian rebellions on a smaller scale required the viceroy's attention from time to time. The Chichimeca and Otomí Indians north of the capital resisted Spanish expansion. Mendoza continued the policy of the Mixtón War of arming his Indian allies in breaking the resistance. The Querétaro area was made safe for settlement in 1550, with much of the credit going to Nicolás de San Luis de Montañez and Fernando de Tapia, both Indians. The former in recognition of his services was made a knight in the military Order of Santiago and a captain-general in the Spanish army.

Native unrest and rebellion also flared up in the southern part of the colony. Spanish encroachments and injustices against the Tequipans and Zapotecans of Oaxaca caused much

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unrest. Mendoza, fearing another Mixtón incident, acted swiftly and vigorously in "pacifying" the rebellious Indians between 1548 to 1550.

In 1547 the viceroy was preparing to send troops to Peru to aid in putting down an insurrection, which grew out of the enforcement of the New Laws. The rebellion was crushed before Mendoza was ready to send his forces. The crown recognized the offered services of the viceroy and his people in this venture by conferring the prestigeous title of "very noble, renowned and loyal" on the city of Mexico. With the title went special immunities and privileges. The fact that Mendoza was in a position of offering aid to his fellow Spaniards in Peru speaks well for the degree of security and tranquility present in New Spain.

Expansion of the kingdom's frontier demanded an ever greater labor force. Importation of Spanish settlers never proved adequate in spite of the encouragement of the crown and Mendoza. The viceroy recalling the Black conspiracy shortly after his arrival in New Spain reluctantly permitted the importation of more African slaves. His fears were again confirmed when in 1546 Black slaves hatched a conspiracy to overthrow their Spanish masters. The plot took place in Tlatalulco and Tenocha and was quickly uncovered before it could lead to widespread rebellion.

The relatively small number of Spanish settlers and limited importation of African slaves meant that the bulk of the labor demands rested on the Indian population. The ever increasing demand of native labor in an expanding kingdom resulted in greater exploitation of Indian workers. The New Laws of 1542, intended to protect the native labor class, became more and more a dead letter.

The problem of protecting Indian workers was compounded by poor administration in New Galicia. In 1544 the *oidor*, Lorenzo de Tejada, conducted an investigation in Guadalajara, which resulted in serious charges of

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maladministration against Francisco Vásquez de Coronado, governor of the district, and other officials. Coronado and a number of his fellow administrators were convicted and removed in 1545 by Baltasar de Gallegcs. Further steps in bringing about better administration for New Galicia was the setting up of an *audiencia* in 1548 in Guadalajara. Throughout the period of Mendoza's residency in New Spain the area remained sparsely inhabited. Initial efforts were made to develop mining and cattle raising in the Zacatecas district. The silver and cattle boom did not materialize until after Mendoza left his post.

The hard labors of the office were beginning to take their toll on the viceroy's health. In 1548 attacks of intermittent fever weakened his physical strength. The following year he suffered a serious illness which confined him to bed. He moved to the lowland area, where he hoped that the warmer climate would aid his recovery. His son, Francisco, served as the interim administrator. It was shortly before this illness that he had requested the crown to relieve him of his duties, but the king begged him to stay on. It was Mendoza's plan to have his son replace him as viceroy but Charles I wanted no part of a hereditary viceroy. To add hereditary right to the viceregal post could mean a more powerful viceroy and the weakening of royal control over New Spain.

Continued reports of the viceroy's ill health prompted Charles I on July 4, 1549, to appoint Luis de Velasco as viceroy of New Spain. The appointment did not mean that Mendoza could retire from public life. The king requested that he take over the viceregal post in Peru; but if his health did not permit, he should stay at his post in Mexico and Velasco should take over the administrative duties in Peru. The crown left the final decision in the matter to the two men. It was obvious that the king felt that he could not do without the services of Mendoza. The developing chaotic situation in Peru was similar to the situation in New Spain upon the arrival the

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first viceroy. The man who had set the administrative house in order in New Spain was now expected to do the same for the king's domain in South America.

Velasco arrived in New Spain in November of 1550. He met with Mendoza in Cholula, where the two agreed that Velasco would succeed Mendoza in New Spain and the New Spain viceroy would go to Peru to set up a viceregal government. Mendoza stayed on in Mexico until the middle of 1551. Undoubtedly he hoped to regain his health and at the same time advise Velasco on the affairs of the kingdom. In the meanwhile he sent his son, Francisco, to Peru to inform him of the state of affairs. The final instructions of Mendoza to his successor focused on the obligation of the viceroy to seek the conversion of the Indians, good administration of the royal *hacienda*, maintaining good relations between the Spaniards and the Indians and promoting new discoveries and explorations.

Mendoza did not arrive in Peru until September 12, 1551. His reception would have done honor to a king. He continued to be handicapped by ill health. He immediately had to face a similar problem—namely the enforcement of the New Laws of 1542. Bishop Las Casas continued to put pressure on the crown to see that the laws were implemented. The *audiencia* in Lima, Peru, on June 23, 1552, issued orders that the New Laws must be enforced. The action, as was expected, caused much discontent among the Spanish population. The viceroy was too ill to take command of the situation. He merely instructed his secretary to report to the crown on the gravity of the unrest. Time was running out and on July 21, 1552, Mendoza died and was buried in the Cathedral of Lima next to the *conquistador* of Peru, Francisco Pizarro.

CONCLUSION

Mendoza left an enviable record of excellent administration. His most noteworthy achievement was his laying the basis of

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colonial government in New Spain that continued, with modifications, for three hundred years. The reasons for his success are many and varied. He was a man of prestige who was able to establish respect for authority —a most essential need in early chaotic Mexico. He showed his statesmanship in his regulations for Indians, clergy, schools and economic development. He made reasonable use of wide powers and at all times attempted to use diplomacy to get the job done. This required patience in working for gradual changes. He showed his leniency in dealing with the shortcomings of his Indian and Spanish subjects; but he took a firm stand in dealing with the rebellious Indians in the Mixtón War and the Cortés faction which threatened the viceregal rule. His primary concern was to keep New Spain for the crown and at the same time to protect the Indians from want and inhumanity. Unfortunately, in carrying out the policy the Indian interests frequently were of secondary importance. Hubert Bancroft, who is no friend of Spanish colonial administration, sums up Mendoza's rule as follows:

> Great, indeed had been the progress of New Spain during the fifteen years of Mendoza's rule. The tumultuous events of the last decade had given place to peace and order, and conspiracies, revolts, and rebellion had been suppressed. Even the storm that was raised by the New Laws, which had threatened social and political disruption, under mild management had wrought but insignificant evils. The conquest of the provinces in the north and south had been achieved; mines had been discovered and developed; numerous towns and churches, convents, hospitals, and schools had been founded; roads, bridges, and other public works had been constructed, and agriculture, industry and commerce had been greatly increased. It is unnecessary to dwell upon the character and deeds of Mendoza. His acts are before the reader. He was not wholly faultless; he was not altogether without enemies; but in the main he was a just man, and his conduct met the approval of both the crown and the colonists.[7]

In summation, "confusion gave way to the order and system of a regular state, and Mexico of the conquest became Mexico of the viceroys."[8]

[7] Hubert Howe Bancroft, *History of Mexico, Vol. II* (San Francisco: The History Company, Publishers, 1886), p. 561.

[8] Aiton, p. 195.

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